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October 26, 2009

Hon. Cheryl L. Pollak, USMJ
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

VIA ECF

Re: Misiewicz v. D'Onofrio General Contractors Corp., et al.
Docket: 08 cv 4377 (CPS)(CLP)

Dear Judge Pollak:

This firm represents Plaintiff in the above-captioned matter. I am writing this letter to respectfully request until November 2, 2009 to oppose D'Onofrio Defendants' counsel's October 21, 2009 motion for a hearing before Your Honor. This is the first request of its kind and all Defendants consent to this request. There is no prejudice to any party.

I am making this request due to a press of work in other cases, including the deposition of a rebuttal expert witness, and deadlines in two (2) matters. Accordingly, I respectfully request until November 2, 2009 to file a response to Defendants' motion for a hearing.

Thank you for your attention to the above.

Respectfully submitted,

/s/
Robert Wisniewski (RW-5308)